

SENATE BILL 2040
By Ketron

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 15, Part 4; Title 57, Chapter 3, Part 4; Title 57, Chapter 4, Part 2 and Title 57, Chapter 5, Part 3, relative to increased penalties for providing alcohol to a minor.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-404(b), is amended by designating the existing language as subsection (b)(1) and by inserting the following language as a new subdivision:

(2) In addition to the penalties imposed by subsection(b)(1) and as otherwise imposed by statute as enumerated in title 57, chapter 3, part 4; title 57, chapter 4, part 2; and title 57, chapter 5, part 3, the court shall order the suspension of such convicted person's driver license for six (6) months. For a second offense under this subsection, the court shall order the suspension of such convicted person's driver license for one (1) year. For a third offense under this subsection, the court shall order the suspension of such convicted person's driver license for two (2) years.

(A) In the event the driver license of such convicted person is already suspended or revoked at the time of the commission of the offense, the court shall enter an order extending the time of suspension or revocation in accordance with the provisions of this subsection.

(B) In the event the convicted person is not licensed to drive at the time of the commission of the offense, the court shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges effective for the time periods

specified in this subsection. The department of safety shall then impose a driving privilege suspension in accordance with the court's order, effective for the time period imposed therein.

SECTION 2. Tennessee Code Annotated, Section 57-3-412(a)(4), is amended by re-designating the existing subdivision (4) as 4(A) and by adding the following language as a new subdivision:

(B) In addition to the penalties imposed pursuant to subdivision (4)(A), the court shall order the suspension of such convicted person's driver license for six (6) months. For a second offense under subdivision (4)(A), the court shall order the suspension of such convicted person's driver license for one (1) year. For a third offense under subdivision (4)(A), the court shall order the suspension of such convicted person's driver license for two (2) years.

(i) In the event the driver license of such convicted person is already suspended or revoked at the time of the commission of the offense, the court shall enter an order extending the time of suspension or revocation in accordance with the provisions of subdivision (4)(B).

(ii) In the event the convicted person is not licensed to drive at the time of the commission of the offense, the court shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges effective for the time periods specified in subdivision (4)(B). The department of safety shall then impose a driving privilege suspension in accordance with the court's order, effective for the time period imposed therein.

SECTION 3. Tennessee Code Annotated, Section 57-4-203(b)(1)(B) is amended by designating the existing language as (b)(1)(B)(i) and by adding the following language as a new subdivision:

(ii) In addition to the penalties imposed by this subdivision, the court shall order the suspension of such convicted person's driver license for six (6) months. For a second offense under this subdivision, the court shall order the suspension of such convicted person's driver license for one (1) year. For a third offense under this subdivision, the court shall order the suspension of such convicted person's driver license for two (2) years.

(a) In the event the driver license of such convicted person is already suspended or revoked at the time of the commission of the offense, the court shall enter an order extending the time of suspension or revocation in accordance with the provisions of this subdivision.

(b) In the event the convicted person is not licensed to drive at the time of the commission of the offense, the court shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges effective for the time periods specified in this subdivision. The department of safety shall then impose a driving privilege suspension in accordance with the court's order, effective for the time period imposed therein.

SECTION 4. Tennessee Code Annotated, Section 57-5-301(d)(2) is amended by designating the existing language as (d)(2)(A) and by adding the following language as a new subdivision:

(B) In addition to the penalties imposed by this subdivision, the court shall order the suspension of such convicted person's driver license for six (6) months. For a

second offense under this subdivision, the court shall order the suspension of such convicted person's driver license for one (1) year. For a third offense under this subdivision, the court shall order the suspension of such convicted person's driver license for two (2) years.

(i) In the event the driver license of such convicted person is already suspended or revoked at the time of the commission of the offense, the court shall enter an order extending the time of suspension or revocation in accordance with the provisions of this subdivision.

(ii) In the event the convicted person is not licensed to drive at the time of the commission of the offense, the court shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges effective for the time periods specified in this subdivision. The department of safety shall then impose a driving privilege suspension in accordance with the court's order, effective for the time period imposed therein.

SECTION 5. This act shall take effect July 1, 2005, the public welfare requiring it.